

MATTHEW LEVITT DEPOSITION September 25, 2013

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<p>1 Q. Okay. Do you know why Ms. Weiser was 2 e-mailing you on the 23rd indicating that she 3 needed to include a statement of the compensation 4 to be paid for your report and testimony in the 5 case?</p> <p>6 A. I don't remember the details. It's 7 possible that I was on travel, I travel a lot, or 8 out of the office for some reason and hadn't 9 included it in the Scope of Engagement, and 10 didn't realize that I was supposed to have, and 11 so she might have added that in under the Scope 12 of Engagement. Not, obviously, under my Opinions 13 or Findings, but in terms of what is legally 14 required to be in here.</p> <p>15 Q. Okay. So on the first page of 182, 16 the last sentence under Scope of Engagement does 17 say, "My hourly rate for providing testimony is 18 \$400.00 per hour," right?</p> <p>19 A. Correct.</p> <p>20 Q. And you're now thinking that maybe Ms. 21 Weiser wrote that?</p>	<p>1 Q. You mentioned yesterday that you were 2 first contacted by someone named Nitsana 3 Darshan-Leitner about working on this case, 4 right?</p> <p>5 A. Again, I don't remember if I said that 6 I was first contacted by her but that I was 7 working for her firm. It might have been someone 8 else in her firm or her husband who works with 9 her. But, yes, I think it was their firm.</p> <p>10 Q. For the record, what is her husband's 11 name?</p> <p>12 A. Avraham -- Abraham in English. 13 A-V-R-A-H-A-M. He goes by Avi, A-V-I.</p> <p>14 Q. And you mentioned Ms. 15 Darshan-Leitner's firm. What is the name of her 16 firm?</p> <p>17 A. It's Hebrew, so I'll spell it. Don't 18 worry. Shurat, S-H-U-R-A-T, HaDin, capital 19 H-A-D-I-N.</p> <p>20 Q. Okay. And does Rachel Weiser also 21 work for Shurat HaDin?</p>
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<p>1 A. It's possible she added that in.</p> <p>2 Q. Do you know if any other changes were 3 made to your report after you signed it on March 4 22nd, 2013?</p> <p>5 A. Not to my knowledge, no.</p> <p>6 Q. Have you retained a copy of your 7 report before it was modified by Ms. Weiser?</p> <p>8 A. I don't know.</p> <p>9 Q. All right. Have you sent a bill for 10 your work on this case?</p> <p>11 A. If I recall, I sent one bill for, I 12 think it was the 5,000, and there is a pending 13 invoice that will go out when we're done with 14 this deposition. I understand part of that goes 15 to you and part of that goes to them.</p> <p>16 Q. Have you been paid anything for your 17 work on this case?</p> <p>18 A. I'm pretty sure I've been paid the 19 5,000, yes.</p> <p>20 Q. Was that a check or a wire?</p> <p>21 A. It would have been a wire.</p>	<p>1 A. Yes.</p> <p>2 Q. In fact, what we've marked as Exhibit 3 Number 191, it says at the top, "Work/Shurat 4 HaDin," correct?</p> <p>5 A. That's right.</p> <p>6 Q. And you've done work for Shurat HaDin 7 on other matters, right?</p> <p>8 A. I have.</p> <p>9 Q. Are you familiar with a term called 10 lawfare, L-A-W-F-A-R-E, all one word?</p> <p>11 A. I am.</p> <p>12 Q. What does that mean?</p> <p>13 A. It's an idea that people try and 14 stymie -- either debated an issue or intimidate 15 someone from investigating an issue by drowning 16 them in frivolous lawsuits.</p> <p>17 Q. And are you aware whether Shurat HaDin 18 engages in lawfare?</p> <p>19 MR. HORTON: Object to the form.</p> <p>20 A. Not to my knowledge, they do not.</p> <p>21 Q. Have you ever visited Shurat HaDin's</p>

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<p>1 website?</p> <p>2 A. I don't think I have.</p> <p>3 MR. HILL: Let's mark this as the next</p> <p>4 exhibit, please.</p> <p>5 (Defendant's Deposition Exhibit Number</p> <p>6 192 was marked for identification.)</p> <p>7 BY MR. HILL:</p> <p>8 Q. We've handed you what's been marked as</p> <p>9 Exhibit Number 192, which you'll see at the top</p> <p>10 left has the words, "Shurat HaDin, Israel Law</p> <p>11 Center." Do you see that, sir?</p> <p>12 A. I do.</p> <p>13 Q. And you'll see that the first word in</p> <p>14 the center column there is, "Lawfare: Fighting</p> <p>15 Back." Do you see that, sir?</p> <p>16 A. Yes.</p> <p>17 Q. It says, "While anti-Jewish and</p> <p>18 anti-Israeli individuals and organizations around</p> <p>19 the world seek to harm Israel and its people</p> <p>20 using warfare, terrorism, and other illegal or</p> <p>21 deceitful tactics, Shurat HaDin believes in using</p>	<p>1 American citizens and their successful \$338</p> <p>2 million lawsuit against the Government of Syria."</p> <p>3 Do you see that?</p> <p>4 A. I do.</p> <p>5 Q. You were involved in that case, right?</p> <p>6 A. I testified in that case, yes.</p> <p>7 Q. Were you involved in the lawsuit</p> <p>8 against former President Carter?</p> <p>9 A. No.</p> <p>10 Q. Were you involved in the lawsuit that</p> <p>11 Shurat HaDin brought against the United States</p> <p>12 State Department?</p> <p>13 A. No.</p> <p>14 Q. How many cases have you been involved</p> <p>15 in with Shurat HaDin, to the best of your</p> <p>16 knowledge?</p> <p>17 A. I think this is the third.</p> <p>18 Q. In fact, sir, you have worked with</p> <p>19 Shurat HaDin on a total of five other cases</p> <p>20 against the PA and the PLO, right?</p> <p>21 A. I don't think that's true, though it's</p>
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<p>1 existing laws to obtain its objectives." Do you</p> <p>2 see that, sir?</p> <p>3 A. I do.</p> <p>4 Q. The next paragraph says, "Thus, we</p> <p>5 have been involved in court actions ranging from</p> <p>6 a lawsuit against Jimmy Carter for</p> <p>7 misrepresentation, to forcing the trial of Hamas</p> <p>8 terrorists as war criminals. We also engage the</p> <p>9 media and public at large to clarify important</p> <p>10 issues, like designating the Gaza flotilla a</p> <p>11 violation of U.S. law under the U.S. Neutrality</p> <p>12 Act, and notifying maritime insurance carriers</p> <p>13 about the illegality of providing insurance to</p> <p>14 future flotilla vessels." Do you see that?</p> <p>15 A. I do.</p> <p>16 Q. Then they list some of their cases,</p> <p>17 and there are what appear to be links to</p> <p>18 different news reports, right?</p> <p>19 A. Yes.</p> <p>20 Q. The first one mentions, "A Tel-Aviv</p> <p>21 based law center has represented two families of</p>	<p>1 possible that sometimes law firms partner with</p> <p>2 each other, so some of these cases may be cases</p> <p>3 that in my mind I've worked with another law</p> <p>4 firm, but maybe Shurat HaDin has been involved as</p> <p>5 well.</p> <p>6 Q. Let me just ask you about each of them</p> <p>7 for the record.</p> <p>8 A. Sure.</p> <p>9 Q. Were you working with Shurat HaDin for</p> <p>10 the work you did in the Parsons case?</p> <p>11 A. No.</p> <p>12 Q. What firm were you working with on</p> <p>13 that case?</p> <p>14 A. Perles, P-E-R-L-E-S. Steven Perles.</p> <p>15 Q. Were you working with the Shurat HaDin</p> <p>16 law firm in the Shatsky case?</p> <p>17 A. I don't think so. I think -- I don't</p> <p>18 remember which firm it was, but it was not Shurat</p> <p>19 HaDin. I only started working with them fairly</p> <p>20 recently. If you have a list of any of the other</p> <p>21 law firms that were involved in that case, I can</p>